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On September 1, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: Eleanor J. Taylor

PATENT
Attorney Docket No.: 19880-001610US
Client Reference No.: 247



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sadik Bayrakeri et al.

Application No.: 09/524,854

Filed: March 14, 2000

For: BANDWIDTH MANAGEMENT
TECHNIQUES FOR DELIVERY OF
INTERACTIVE PROGRAM GUIDE

Examiner: Unassigned

Art Unit: 2711

**APPOINTMENT OF ASSOCIATE
ATTORNEY UNDER 37 CFR § 1.34(b)**

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b), applicants' undersigned principal attorney of record appoints P. G. Scott Born, Registration No. 40,523, as an associate attorney to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith. The associate attorney's address and telephone number are as follows.

Telephone: (650) 326-2400

Address: Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834

Respectfully submitted,

James K. Okamoto
Reg. No. 40,110

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200/Fax: (415) 576-0300
SB:ejt



Attorney Docket No. 019880-001620

POWER OF ATTORNEY BY ASSIGNEE

DIVA SYSTEMS CORPORATION, located at 800 Saginaw Drive, Redwood City, California 94063, is the Assignee of the invention entitled:

BANDWIDTH MANAGEMENT TECHNIQUES FOR DELIVERY OF INTERACTIVE PROGRAM GUIDE

the specification of which was filed on March 14, 2000 as Application No. 09/524,854.

The Assignment accompanying this Power of Attorney has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the Assignee. The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James K. Okamoto, Reg. No. 40,110
William L. Shaffer, Reg. No. 37,234

Send Correspondence to:

James K. Okamoto, Esq.
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834

Direct Telephone Calls to:

James K. Okamoto
Reg. No. 40,110
(650) 326-2400

Date: 6/14/00

DIVA SYSTEMS CORPORATION

By Stephanie A. Storms

**Stephanie Storms
Senior Vice President**

COPY

Attorney Docket No.: 19880-001610
Client Reference No.: 247

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Sadik Bayrakeri, of 733 Shell Boulevard #104, Foster City, CA 94404, Donald F. Gordon, of 465 Gabilan Street #10, Los Altos, CA 94022, Edward A. Ludvig, of 831 Canyon Road, Redwood City, CA 94061, Eugene Gershtein, of 1418 Valota Road, Redwood City, CA 94061, Jeremy S. Edmonds, of 18923 Sydney Circle, Castro Valley, CA 94546, John P. Comito, of 907 Pleasant Hill Road, Redwood City, CA 94061, Alfred Li, of 161 Positano Circle, Redwood City, CA 94065, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **BANDWIDTH MANAGEMENT TECHNIQUES FOR DELIVERY OF INTERACTIVE PROGRAM GUIDE**

Date(s) of execution of Declaration:

Filing Date: **March 14, 2000**

Application No.: **09/524,854**

WHEREAS, DIVA Systems Corporation, a corporation of the state of Delaware, located at 800 Saginaw Drive, Redwood City, CA, 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Assignment
Attorney Docket No.: 19880-001610
Page 2

Dated: 6-20-2000


Sadik Bayrakeri

STATE OF CALIFORNIA)
COUNTY OF) ss.

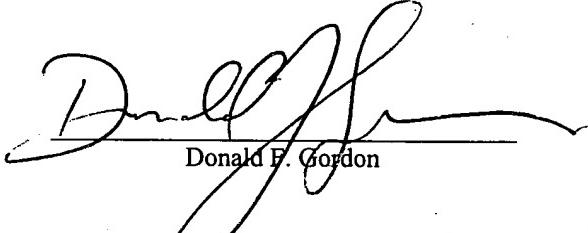
On _____, before me, _____, personally appeared
Sadik Bayrakeri, personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


NOTARY PUBLIC

My Commission Expires: _____

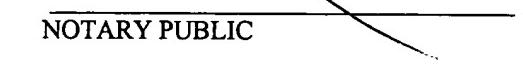
Dated: 5/2/2000


Donald F. Gordon

STATE OF CALIFORNIA)
COUNTY OF) ss.

On _____, before me, _____, personally appeared
Donald F. Gordon, personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

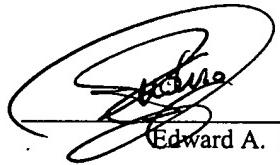
WITNESS my hand and official seal.


NOTARY PUBLIC

My Commission Expires: _____

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Dated: 06/19/2000



Edward A. Ludvig

STATE OF CALIFORNIA)
COUNTY OF) ss.

On _____, before me, _____, personally appeared
Edward A. Ludvig, personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


NOTARY PUBLIC

My Commission Expires: _____

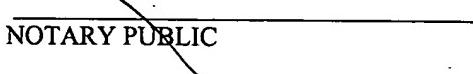
Dated: 2000/06/19


Eugene Gershtein

STATE OF CALIFORNIA)
COUNTY OF) ss.

On _____, before me, _____, personally appeared
Eugene Gershtein, personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

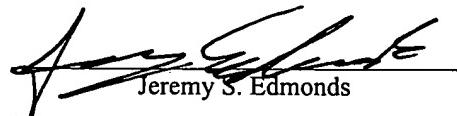
WITNESS my hand and official seal.


NOTARY PUBLIC

My Commission Expires: _____

Assignment
Attorney Docket No.: 19880-001610
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Dated: 7/5/00



Jeremy S. Edmonds

STATE OF CALIFORNIA)
COUNTY OF) ss.
)

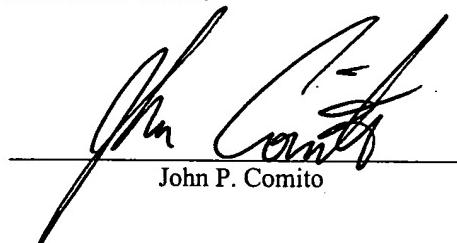
On _____, before me, _____, personally appeared
Jeremy S. Edmonds, personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

Dated: 6/19/2000



John P. Comito

STATE OF CALIFORNIA)
COUNTY OF) ss.
)

On _____, before me, _____, personally appeared
John P. Comito, personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

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Attorney Docket No.: 19880-001610
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Dated: July 11, 2000

Alfred Li
Alfred Li

STATE OF CALIFORNIA)
COUNTY OF) ss.

On Alfred Li, before me, _____, personally appeared
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

PA 3073740 v1